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Attorneys for United States of America

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

UNITED STATES OF AMERICA,
Plaintiff,
v.
RAMESH “SUNNY” BALWANI,
Defendant.

) Case No. 18-CR-00258 EJD
)
) DECLARATION OF KELLY I. VOLKAR IN
) SUPPORT OF UNITED STATES’ RESPONSE TO
) DEFENDANT BALWANI’S MOTIONS *IN LIMINE*
)
) Date: January 6, 2022
) Time: 9:00 a.m.
) Court: Hon. Edward J. Davila
)
)

1 I, Kelly I. Volkar, declare:

2 1. I am an Assistant United States Attorney (AUSA) representing the United States of
3 America, the plaintiff in this case.

4 2. Attached hereto as Exhibit 1 is a true and correct copy of Trial Exhibit 5726.

5 3. Attached hereto as Exhibit 2 is a true and correct copy of excerpts of Theranos, Inc.'s
6 Responses and Objections to Plaintiffs' Second Set of Interrogatories, served on January 30, 2017 in
7 *Partner Investments, L.P., et al. v. Theranos, Inc., Elizabeth Holmes, and Ramesh Balwani, et al.*, No.
8 12816-VCL (Del. Ct. Chancery).

9 4. Attached hereto as Exhibit 3 is a true and correct copy of Trial Exhibit 2730.

10 5. Attached hereto as Exhibit 4 is a true and correct copy of Trial Exhibit 4322.

11 6. Attached hereto as Exhibit 5 is a true and correct copy of an October 29, 2021, FDA
12 memorandum of an interview of Sarah Bennett.

13 7. Attached hereto as Exhibit 6 is a true and correct copy of a December 11, 2020, FDA
14 memorandum of an interview of Sarah Bennett.

15 8. I declare under penalty of perjury under the laws of the United States of America that the
16 foregoing is true and correct and that this declaration is executed at Walnut Creek, California, on
17 December 6, 2021.

18
19 DATED: December 6, 2021

20 /s/ Kelly I. Volkar
21 KELLY I. VOLKAR
22 Assistant United States Attorney
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